

Attorney Docket 25039A

Remarks**Status of Claims**

Claims 1-4, 6-7, 9-13 and 15-17 are pending in the application. Claims 1-4, 6-7, 9-13 and 15-17 stand rejected. Favorable reconsideration is respectfully requested in light of the following remarks.

Withdrawal of Allowable Subject Matter

The Examiner has withdrawn the allowable subject matter of claims 9-13, 15 and 16 in view of the newly discovered reference to Heath, Jr. et al.

Applicants respectfully submit that Heath Jr. et al. is not a newly discovered or newly cited reference. The Examiner cited Heath, Jr. et al. in the Office Action dated March 28, 2002. Further the Examiner withdrew the Heath, Jr. et al. rejection in the Office Action dated September 17, 2002.

Applicants respectfully submit that the claims have been previously amended to define over Heath, Jr. et al. in the amendments made in the response dated June 19, 2002.

Claim Objections

Claims 1 and 6 stand objected to. The Examiner states that in claim 1, line 11, the phrase, "wherein each receiver...extending siding strip" repeats and claim 6 contains these same limitations (as recited in claim 1).

Applicants have amended claim 1 to omit the repeating phrase and have canceled claim 6 herein.

Accordingly, Applicants respectfully request that the objections to claims 1 and 6 be withdrawn.

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Claim Rejections – 35 U.S.C. 112

Claims 2, 6 and 15 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner states that in claim 2, it is not clear if the “integral fastener receiving section” is the same element or a different element than the “fastener receiving portion” as cited in line 12 of claim 1.

Claims 2, 6 and 15 have been canceled herein. Accordingly, Applicants respectfully request that the rejection of claims 2, 6 and 15 be withdrawn.

Rejection Under 35 U.S.C. 102(b) and 35 U.S.C. 103(a)

Claims 1-4, 6, 7 and 9-10 stand rejected under § 102(b) as being anticipated by U.S. Patent No. 5,694,728 to Heath, Jr. et al.

Claims 11-13 and 15-16 stand rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Heath Jr. ('728).

Claim 17 stands rejected under rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Heath Jr. ('728).

Independent claim 1 recites that the component body includes first and second receivers projecting substantially 180 degrees in opposite directions and an outwardly bowed portion. Claims 2 and 6 have been canceled herein. Claims 3-4, 7, 9 and 10 ultimately depend from claim 1 and contain the limitations thereof.

The term “substantially” is defined as “being largely but not wholly that which is specified” (MERRIAM-WEBSTER ONLINE (www.Merriam-Webster.com) copyright 2004 by Merriam-Webster, Incorporated). As such, the '728 patent clearly does not teach or suggest Applicants' claimed invention including “first and second receivers projecting substantially 180 degrees in opposite directions for receiving siding strips” as Applicants' claim.

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The '728 patent discloses corner posts 50, each having a pair of U-shaped channels 64 for receiving ends of panels 16, see Figs. 2E and 2F. **"Components 54 (of the corner posts 50) are for mounting each outside corner post 50 against an outside corner of the exterior walls of the building 14 in a vertical position,"** see column 4, lines 56-58 of the '728 patent. As is apparent from Figs. 2E and 2F in the '728 patent, the corner posts 50 do not include first and second receivers projecting substantially 180 degrees in opposite directions for receiving siding strips.

Further, the '728 patent does not disclose, teach or suggest modifying the corner posts 50 of Figs. 2E and 2F so as to comprise first and second receivers projecting substantially 180 degrees in opposite directions.

Independent claim 11 recites that "the at least one siding component includes first and second receivers projecting substantially 180 degrees in opposite directions and an outwardly bowed portion". Independent claim 17 recites the step of "providing an elongated siding component having first and second receivers projecting substantially 180 degrees in opposite directions and having an outwardly bowed portion."

The '728 patent fails to disclose, teach or suggest providing a trim component including first and second receivers projecting substantially 180 degrees in opposite directions for receiving siding strips. The only teaching of a trim component having the combination of first and second receivers projecting substantially 180 degrees in opposite directions and an outwardly bowed portion comes from applicant's own disclosure, which cannot be used against him.

Accordingly, it is submitted that the '728 patent does not anticipate nor render obvious the subject matter of amended claims 1, 11 and 17 and dependent claims 2-4, 7, 9-10, 12-13 and 16. As such, it is respectfully requested that the 102(b) and 103(a) rejections of claims 1-4, 6, 7, 9-10, 11-13, 15-16 and 17 be withdrawn.

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Conclusion

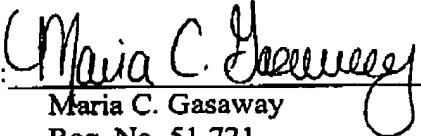
In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration of the rejections is requested. Allowance of claims 1-4, 6, 7, 9-10, 11-13, 15-16 and 17 at an early date is solicited.

The Examiner is invited to telephone the Applicants' undersigned agent at (740) 321-7213 if any unresolved matters remain.

If any questions should arise with respect to the above Remarks, or if the Examiner has any comments or suggestions to place the claims in better condition for allowance, it is requested that the Examiner contact Applicants' agent at the number listed below.

Applicants authorize any fees required pertaining to this response be charged to Deposit Account No. 50-0568.

Respectfully submitted,

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Date: March 15, 2004

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